

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

NEXTEC APPLICATIONS, INC.

SUMMONS IN A CIVIL ACTION

V.

BROOKWOOD COMPANIES, INC., a Delaware  
corporation; and THE HALLWOOD GROUP,  
INC., a Delaware corporation,

CASE NUMBER:

07 CV 6901

JUDGE HOLWELL

TO: (Name and address of Defendant)

BROOKWOOD COMPANIES, INC.  
25 West 45th Street, 11th Floor, New York, NY 10036

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Kesari Ruza  
Sheppard, Mullin, Richter & Hampton, LLP  
30 Rockefeller Plaza, 24th Floor  
New York, NY 10112  
(212) 332-3828 (phone)  
(212) 332-3888 (fax)

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

JUL 31 2007

CLERK

DATE

(By) DEPUTY CLERK

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<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE <u>7/31/07 @ 5:20 pm</u>	
NAME OF SERVER (PRINT) <u>Gail Brown</u>	TITLE <u>Managing Clerk / Process Server</u>	
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>Brookwood Companies, 25 West 41st St, 11th Fl. NY NY 10036, Charlene Mosley accepted on their behalf</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL \$0.00
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>8/3/07</u> <u>Gail Brown</u>            Date Signature of Server</p> <p>Sworn to before me this 3rd day of Aug, 2007.</p> <p style="text-align: right;"><b>SHEPPARD MULLIN RITCHER &amp; HAMPTON LLP</b>  <b>30 Rockefeller Plaza Suite 2400</b>  <b>New York, NY 10112</b>            Address of Server</p> <p style="text-align: center; margin-top: 20px;"> <u>Mary Lee Evers</u>  <b>MARY LEE EVERS</b>  <b>NOTARY PUBLIC, State of New York</b>  <b>No. 31-4819855</b>  <b>Qualified in New York County</b>  <b>Commission Expires February 28, 2011</b> </p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.